

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

NICOLE MARIE BROCKIE,

Defendant.

**CR-15-05-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on May 29, 2018. (Doc. 45.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a motion hearing regarding an early termination of Brockie's probation on April 4, 2018. (Doc. 44.) Judge Johnston has recommended that the Court grant Brockie's Motion for Early Termination of Probation. Federal law authorizes a defendant to move for termination of probation

after successfully completing one year . . . if such action remains warranted by the conduct of the defendants and the interests of justice. 18 U.S.C. § 3564(c).


Judge Johnston determined that Brockie has maintained gainful employment, has completed a Cognitive Restructuring/Thinking Error Program, earned an associate degree, and has been recognized by the Fort Belknap Tribal Housing Department. (Doc. 45 at 2.) Judge Johnston further recognized that Brockie has not been “perfect” while on probation. *Id.* None of these non-compliance issues, however, ever rose to the level of being addressed by the Court. *Id.* The interests of justice warrant an early termination of Brockie’s probation.

The Court finds no clear error in Judge Johnston’s Findings and Recommendations.

**IT IS ORDERED** that Judge Johnston’s Findings and Recommendations (Doc. 45) are ADOPTED IN FULL.

**IT IS FURTHER ORDERED** that Defendant Nicole Marie Brockie’s Motion for Early Termination of Probation (Doc. 41) is GRANTED.

DATED this 18th day of June, 2018.



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Brian Morris  
United States District Court Judge